

FROM TREXLER ET AL.

(MON) 9.13'04 12:30/ST. 12:30/NO. 4860347607 P 1
TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.
COUNSELORS AT LAW

RECEIVED
CENTRAL FAX CENTER

SEP 13 2004

RICHARD R. TREXLER (1906-1995)
RICHARD A. GIANGIORGI
RAIFORD A. BLACKSTONE, JR.
DAVID I. MARR
LINDA L. PALOMAR
JAMES R. FOLEY
JAMES A. O'MALLEY
TIMOTHY M. McCARTHY
PAIGE A. KITZINGER

THE CLARK ADAMS BUILDING
105 WEST ADAMS STREET, SUITE 3600
CHICAGO, ILLINOIS 60603-6299

(312) 704-1890

FOUNDED 1891

PATENT, TRADEMARK, COPYRIGHT
AND RELATED MATTERS: ALL PHASES
INCLUDING LICENSING AND LITIGATION

FAX: (312) 704-8023
www.trexlaw.com

FACSIMILE TRANSMISSION

TOTAL PAGES (Including Cover Page) 26 DATE: September 13, 2004

Commissioner for Patents

TO: Attn.: Examiner David Donald Davis FROM: Timothy M. McCarthy, Reg. No. 42,855

FAX NO: (703) 872-9306 FAX NO: (312) 704-8023

If you experience any difficulty with this transmission, please call (312) 704-1890 for assistance.

ORIGINAL COPY AND ENCLOSURES

WILL BE SENT BY MAIL COURIER

WILL NOT BE SENT

NOTES:

Inventor: Gary W. Ferguson
For: Disk Data Storage Media with Edge
Track Data Surface...
Art Unit: 2652
Serial No.: 10/079,449
Filed: February 19, 2002
Attorney Ref.: 2089/42100/PA3

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent
and Trademark Office to fax number (703) 872-9306 on:

September 13, 2004

Date


Amy L. Mitchell

IMPORTANT NOTICE

This transmission (including all attached pages) is intended only for the use of the named addressee(s), and may contain information that is privileged or exempt from disclosure under applicable law. **IF YOU ARE NOT A NAMED ADDRESSEE, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMISSION IS STRICTLY PROHIBITED.** If you have received this transmission in error, please destroy all copies and notify us immediately at this telephone number: (312) 704-1890.

PTO/SB/21 (02-04)

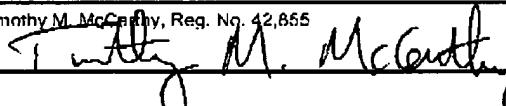
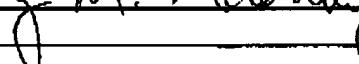
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 10/079,449
		Filing Date February 19, 2002
		First Named Inventor Ferguson
		Art Unit 2652
		Examiner Name David Donald Davis
Total Number of Pages in This Submission 4		Attorney Docket Number 208942100/Case PA3 TMM

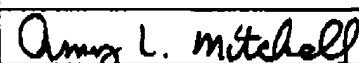
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input checked="" type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Timothy M. McCarthy, Reg. No. 42,855 
Signature	
Date	September 13, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Amy L. Mitchell	
Signature		Date
	September 13, 2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is guaranteed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FORM PTO-1083

Attorney Docket No. 2089/42100/Case PA 3

In re application of: Gary W. Ferguson
 Serial No.: 10/079,449
 Filed: February 19, 2002
 Art Unit: 2652
 For: Disk Data Storage Media with Edge Track Data Surface, Methods to Manufacture, Exploit and Convert Conventional Disk Media to that Having an Edge Track Data Surface

MAIL STOP: RESPONSE
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmited herewith is a Response to the Office Action mailed July 16, 2004.

The fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
Claims Remaining After Amendment	Highest No. Previously Paid for	Present Extra	Rate Addit. Fee	Rate Addit. Fee
TOTAL. * 27	MINUS ** 31	0	x 9 \$.00	x 18 = \$.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				
INDEP. * 6	MINUS *** 6	0	x 43 = \$.00	x 86 = \$.00
			+ 135 = \$.00	+ 280 = \$.00
TOTAL ADDIT. FEE			TOTAL	TOTAL
\$.00			\$.00	\$.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Please charge my Deposit Account No. 20-1495 in the amount of \$ _____ to cover the fee for extra claims. A duplicate copy of this sheet is enclosed.

A check in the amount of _____ to cover the filing fee is also enclosed.

The Commissioner is hereby authorized to charge any insufficient payment associated with this communication or credit any overpayment to Deposit Account No. 20-1495. A duplicate copy of this sheet is enclosed.

Any filing fees required under 37 CFR 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 CFR 1.17

Dated: 9-13-04

Timothy M. McCarthy
 Timothy M. McCarthy Reg. No. 42,855
 Attorney of Record

714035

FORM PTO-1083

Attorney Docket No. 2089/42100/Case PA 3

In re application of: Gary W. Ferguson
 Serial No.: 10/079,449
 Filed: February 19, 2002
 Art Unit: 2652
 For: Disk Data Storage Media with Edge Track Data Surface, Methods to Manufacture, Exploit and Convert Conventional Disk Media to that Having an Edge Track Data Surface

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to facsimile number (703) 872-9306 on September 13, 2004.



Amy L. Mitchell

MAIL STOP: RESPONSE
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to the Office Action mailed July 16, 2004.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
	Claims Remaining After Amendment		Highest No. Previously Paid for	Present Extra	Rate	Addit. Fee
TOTAL	* 27	MINUS	** 31	0	x 9	\$.00
INDEP.	* 6	MINUS	*** 6	0	x 43 =	\$.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 135 =	\$.00
					TOTAL ADDIT. FEE	\$.00
					OR	TOTAL \$.00
					OR	

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write ".3" in this space.

The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

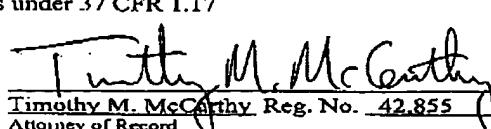
Please charge my Deposit Account No. 20-1495 in the amount of \$ _____ to cover the fee for extra claims. A duplicate copy of this sheet is enclosed.

A check in the amount of _____ to cover the filing fee is also enclosed.

The Commissioner is hereby authorized to charge any insufficient payment associated with this communication or credit any overpayment to Deposit Account No. 20-1495. A duplicate copy of this sheet is enclosed.

Any filing fees required under 37 CFR 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 CFR 1.17

Dated: 9-13-04


Timothy M. McCarthy, Reg. No. 42,855
 Attorney of Record

714035

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER: _____**

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.